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OLL 85-2721

16 September 1985

NOTE TO: DCI

RE: Hamilton Breakfast Friday, 20 September

o He is responding to your earlier invitation. That invitation was stimulated, at least in part, by my discussions with Latimer and Hamilton's Foreign Affairs Committee Staff Director Mike Van Dusen, who suggested periodic one-on-one sessions, which Hamilton allegedly likes.

25X1 o Basic problem remains credibility building. Hamilton still believes we "only answer questions as asked," do not attempt to interpret Committee concerns and help educate or orient, stonewall (Directorate of Operations), etc. We hope to have [redacted] help on this.

o Major unresolved issue, which you suggested (last paragraph of attached) you would like to discuss with him: his concerns about sensitive briefings given only to him as Chairman and Bob Stump as Ranking Minority Member. The New Committee Members do not understand that procedure at all: they consider that they signed on as surrogates for the whole House.

o Hamilton is coming alone. Tom will not attend. I would love to attend but suggest, this first time, that you breakfast in your office, encourage him to have periodic meetings and agree between yourselves as to future attendees (i.e., whether Tom and I might not best be present).

o I've told John about the breakfast. I have not laid on with the Deputies anything specific, but they too are aware of Hamilton's coming.

25X1 [redacted]  
Charles A. Briggs

Director, Office of Legislative Liaison

cc: DDCI

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Central Intelligence Agency



Washington, D.C. 20505

12 August 1985  
OLL: 85-1987/3

The Honorable Lee H. Hamilton, Chairman  
Permanent Select Committee on Intelligence  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your letter of 9 July 1985 concerning the manner in which briefings on sensitive intelligence matters are to be provided to your Committee. While I appreciate receiving your position and the deliberations of the Committee on this matter, I would hope we could discuss it further in the interest of reaching a solution that best serves our mutual interests.

With respect to your interpretation of the requirements of Section 501 of the National Security Act, while this Act provides specific language for limiting prior notice, I do not believe it precludes withholding notice or the provision of notice by other methods in appropriate circumstances. The preambular language to the Act explicitly recognizes the constitutional prerogatives of the President, and I believe the President could exercise those prerogatives to withhold or seek to limit notice. Equally, the Committee could amend its rules to provide for reporting on the basis we have discussed consistent with both the letter and spirit of the law.

The course you have chosen is a departure from the procedure this Agency has followed for the past eight years with both Intelligence Committees whenever extremely sensitive operational matters arose. During most of these years the Intelligence Oversight Act of 1980 was in effect, but its provision authorizing the President to limit prior notice was not used

~~until recently because~~ the Committees and the Agency ~~had~~ an informal, secure and flexible arrangement which satisfied joint needs without resorting to a more rigid formal procedure. There was a spirit of comity and dynamic compromise recognized by the Executive and Legislative Branches, a spirit which I believe was much in the minds of both Intelligence Committees when the Intelligence Oversight Act was enacted.

I sincerely hope we can agree that the working relationship between us must avoid the mischief of polarization, and should base the settlement of conflict on continued interplay between us. I hope that the Committee will continue to encourage intelligence officials to suggest the need and methods for sensitive handling of certain information, as it has in the past. These are all thoughts expressed by your Committee in the HPSCI report on the Intelligence Oversight Act, and they are as valid now as they were then.

It is in this same spirit that I invite you and all the Members of your Committee to join me in a concerted effort to develop an effective and flexible relationship that fully satisfies our joint responsibilities within the laws of the nation. Perhaps we could discuss this at a breakfast here at Langley with you and Bob Stump sometime after your return in September.

Sincerely,

/s/

William J. Casey  
Director of Central Intelligence